

**HOUSE COMMUNICATIONS**

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**TOMORROW'S FORECAST**

- \* The House will reconvene for its 13th Legislative Day on Friday, February 3, at 9:00 am.
- \* 3 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES****DAILY REPORT****THURSDAY, FEBRUARY 2, 2006****LEGISLATIVE DAY# 12****TODAY ON THE FLOOR**

Speaker of the House Glenn Richardson gavelled the House into session today, at 10:00 am, for the 12th legislative day of the 2nd Session of the 148th General Assembly.

**DEBATE CALENDAR****HB 594 - Bail bonds; fees of sureties**

- Changes the basis of the bondsman's fees to allow the surety to charge up to 12% on the face of a bond in the amount of \$10,000.00 or less, 15% on the face of a bond in the amount of \$10,000.00 or more. Currently the fees are charged on the principal amount of the bond. This bill would require that the fee be charged on the face value which would include the principal amount and all applicable surcharges
- Authored by: Rep. Howard Maxwell
- House Committee: Judiciary Non-Civil
- Rules Committee: Open
- Amendment(s): None
- Y: 146      N: 12

**HB 692 - Probation; terms and conditions; amend**

- This bill adds detail to the general conditions of probation. Condition 6 is amended to forbid banishment to an area that is less than one entire judicial circuit in size and to areas where mandated programs or services are not available
- Authored by: Rep. Ellis Black
- House Committee: State Institutions & Property
- Rules Committee: Open
- Amendment(s): None
- Y: 161      N: 1

**HB 1042 - Annual accounting periods; treatment of taxable years; amend provisions**

- This bill provides that a 52-53 week taxable year begin on the first day of the calendar month closest to the first day of that taxable year and end on the last day of the calendar month closest to the last day of that taxable year. This definition was needed in order to clarify the annual accounting period for certain corporations that did not have a traditional fiscal or calendar year.
- Authored by: Rep. Roger Williams
- House Committee: Ways & Means
- Rules Committee: Modified Structured
- Amendment(s): None
- Y: 160      N: 0

**HB 1052 - Motor vehicles; distinguishable transporter license plate; provisions**

- This bill provides that a person engaged in the business of the limited operation of a motor vehicle for any of the following purposes may obtain a distinguishable transporter license plate authorizing the movement of the vehicle for the specific purpose: (1) To facilitate the delivery of new or used motor vehicles, trucks, or buses between manufacturers, distributors, dealers, sellers, or purchasers;(2) To move a mobile office, a mobile classroom, a mobile or manufactured home, or a house trailer;(3) To drive a motor vehicle that is part of the inventory of a dealer to and from a motor vehicle trade show or exhibition or to, during, and from a parade in which the motor vehicle is used; or(4) To drive special mobile equipment in any of the following circumstances:(A) From the manufacturer of the equipment to a facility of a dealer; or (B) From one facility of a dealer to another facility of a dealer. Further, this bill creates a new "wholesaler" classification for used car dealers.
- Authored by: Rep. Jack Murphy
- House Committee: Motor Vehicles
- Rules Committee: Open
- Amendment(s): None
- Y: 156      N: 0

**HB 1080 - Income tax credit; qualified child and dependent care expenses; provide**

- This bill provides for an income tax credit for qualified child and dependent care expenses in the following amounts:
  1. 10% for all taxable years from January 1, 2006-December 31, 2006
  2. 20% for all taxable years from January 1, 2007-December 31, 2007
  3. 30% for all taxable years beginning on January 1, 2008 and thereafter.No unused credits are allowed to be carried forward or applied to prior years' tax liability.
- Authored by: Rep. Rich Golick
- House Committee: Ways & Means
- Rules Committee: Structured
- Amendment(s): None
- Y: 154      N: 0

**SUPPLEMENTAL DEBATE CALENDAR****HB 1059 - Sexual offenders; punishment; registration requirements; change provisions**

- Increases penalties for certain sex crimes
- Creates a new crime of aiding, abetting, or harboring a sex offender
- Requires lifetime probation for offenders convicted of serious violent felonies – other than murder or armed robbery – after minimum sentence of 25 years in prison
- Creates a new sentencing scheme for other enumerated sex crimes: mandatory split sentence to consist of mandatory minimum for the specific crime followed by at least one year of probation
- Allows the court to grant straight probation if the defendant has no prior sexual offenses, can prove that he or she is a Level I or Level II recidivist risk, and upon consent of the victim
- Eliminates first offender treatment for sex offenders
- Adds to aggravating circumstances for death penalty that the offense of murder, rape or kidnapping was committed by a person previously designated a sexually dangerous predator
- Requires criminal information collection to include the age and sex of the victim – currently information is collected only about the criminal and the crime committed
- Reorganizes Code section 42-1-12
- Better defines the roles of each agency with regard to registering and monitoring sex offenders
- Offenders will be required to register with law enforcement before leaving prison
- Failure to register will be punished as a felony
- Redefines role of the Sexual Offender Registration Review Board (SORRB)
- Appointments will be made by the Governor
- SORRB will determine recidivist status of all convicted sex offenders
- Requires sexual predators to re-register every six months

Sets residency, workplace and loitering restrictions for sex offenders

1000 foot limit includes churches

Reserves OCGA 42-9-44.1 and OCGA 42-9-44.2 – related to requirements for sex offenders on parole

- Authored by: Rep. Jerry Keen

- House Committee: Judiciary Non-Civil

- Rules Committee:

- Amendment(s):

- Y: 144      N: 27

\* The House will reconvene Friday, February 3 at 9:00 am for its 13th Legislative Day of the 2nd Regular Session of the 148th General Assembly.

## **RULES COMMITTEE**

**The Committee on Rules today has fixed the calendar for the 13th Legislative Day, Friday, February 3, as enumerated below, and can be called at the pleasure of the Speaker of the House.**

### **DEBATE CALENDAR**

#### **HB 476 - Superior Court Clerks' Retirement; amend provisions**

- Membership dues will be increased to \$75 per month (currently \$50) due on the first of each month, late payment penalties are calculated from that date. No creditable service shall be granted for any month for which dues are in arrears on the last day of the calendar quarter during which the dues were due. After that time, the board shall not accept payment of such dues, and creditable service for any such month shall be forever forfeited. Fines shall be collected in any case that is a criminal violation of state or local law, ordinance, or regulation and be paid to the board each month (currently quarterly) due on the first day of the month and will be considered delinquent if not received within 90 days (currently 60 days). In addition to all other legal costs, the sum of \$1.00 (currently \$.50) shall be charged and collected for the processing of all instruments pertaining to real estate filed in the superior courts. Fees will be collected on monthly basis, due on the first of the month. Funds collected must be remitted within 90 days of due date, and such money shall be delinquent and a penalty of 5% of the principal, plus 6% interest, shall be assessed for each month (not to exceed a total of 25% of the principal) the funds continue to be delinquent. In the area of Retirement Benefits & Spousal Benefits, the members receive retirement benefits after attaining 8 years of service either as a clerk or deputy clerk (currently 12 years. Member with 8 years will receive a monthly benefit of \$680, and there will be incremental increases for years 9 through 11, and monthly benefit of members with 12 or more years does not change. 15 or more days will count as a full month of service. All retiring members can elect the option of survivor's benefits. A member, upon retirement, may elect to receive 90% of the benefits the member is entitled to receive and after his/her death, the member's surviving spouse shall receive a monthly sum equal to 50% of the benefit. The board shall be authorized to provide, by rule and regulation, for a surviving spouse's benefit in the event of the death of a member who would be eligible except for not being age 55.

- Authored by: Rep. Robert Mumford

- House Committee: Retirement

- Rules Committee: Open

#### **HB 1026 - Supplemental appropriations; FY 2005-2006**

- This bill is the amended version of the 2005-2006 budget appropriations bill

- Authored by: Rep. Glenn Richardson

- House Committee: Appropriations

- Rules Committee: Modified Open

**HB 1085 - Finfish; certain species; open seasons, creel, and possession limits; amend**

- This bill would reduce possession and creel limits on tripletail from 5 fish to 2 fish.
- Authored by: Rep. Bob Lane
- House Committee: Game, Fish & Parks
- Rules Committee: Open

***\* The Rules Committee will next meet on Friday, February 3 at 8:00 am to set the Debate Calendar for the 14th Legislative Day.***

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## **COMMITTEE ACTION REPORT**

### **HUMAN RELATIONS & AGING**

**HB 959 - Mallory's Act; permanently disabled persons; parking permits; amend provisions**

- House Bill 959 amends Code Section 40-6-222 of the Official Code of Georgia Annotated, relating to parking permits for persons with disabilities, to change certain provisions relating to permits for permanently disabled persons; to provide for permits issued to permanently disabled minors; and to provide a short title. Section 1 states that this Act should be known and cited as "Mallory's Act."
- Section 2 strikes subsection (c) which in turn says that the department shall issue a permanent permit to any person who is obviously permanently disabled and to any other permanently disabled person upon presentation of an affidavit of a practitioner of the healing arts stating that the specific person is permanently disabled. The affidavit shall further state the specific disability that limits the person to walk. The department shall also issue a permanent permit to an institution that operates vehicles that are primarily used for the transportation of individuals with disabilities. The institution needs to present certification for the use of the vehicles. The institution shall receive permits only for the number of vehicles used and need to put the permits on the driver's side of the dashboard. From one renewal period to another the color of the permit will vary in color. For a permit issued to a minor, it should display the word 'minor' and show an expiration date the same as the date of his or her eighteenth birthday or two years from the date it is issued, whichever occurs last. The print of the expiration date must be legible.
- Authored by: Rep. Gene Maddox
- Committee Action: Do Pass

### **JUDICIARY (NON-CIVIL)**

**No Update Available at the time of this Report.**

### **MOTOR VEHICLES**

**HB 1069 - Drivers' licenses; young driver tracking service; provide**

- This bill would establish a youthful driver tracking service for the purpose of allowing parents to monitor their children's' driving habits. This would be accomplished by one of two methods; either the display of a toll free number on the Childs' vehicle for other drivers to call and leave comments, or the use of a cell phone's GPS tracking device to provide real time data via the internet. Though the youthful driver tracking service would be available to any parent wishing to use it, it would also be mandated, as a part of sentencing, for certain crimes and driving violations.
- Authored by: Rep. Jack Murphy
- Committee Action: Do Pass by Committee Substitute

### **NATURAL RESOURCES & ENVIRONMENT**

Presentation by Wayne Allen, Legislative Counsel, on Georgia Water laws.

No legislative action was taken.

## **PUBLIC UTILITIES**

### **SB 120 - Broadband, Voice over Internet, Wireless; no requirements by any state agency**

- This bill will enact the “Competitive Emerging Communications Technologies Act of 2006”. The Bill states that it is in the public interest to encourage deployment of the emerging communications technologies of broadband service, voice over Internet protocol, and wireless service by expressly removing any power the Georgia Public Service Commission may have to regulate rates and terms for the offering of such services. The bill also states that market based competition is the best mechanism for the selection and setting of such rates, terms, and conditions for such emerging communications technologies and to encourage the adoption and use of services by Georgia consumers; and that Georgia’s consumers need timely and accurate information as to the actual cost and levels of service in order to make informed market based choices among competing offerings of such emerging technologies.
- Authored by: Sen. Mitch Seabaugh
- Committee Action: Do Pass

## **SCIENCE & TECHNOLOGY**

The Science and Technology Committee met this morning to hear a presentation on technology policy issues from the Board of Regents. No legislative action was taken.

## **STATE INSTITUTIONS & PROPERTY**

Presentation on “Inmate Mental Health,” by Dr. Cassandra Newkirk

*\* Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk’s Office and are then placed on the General Calendar for Rules Consideration.*

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## **COMMITTEE MEETING BROADCAST SCHEDULE**

**9:00 PM     RULES COMMITTEE**  
341 CAP

**12:00 PM   PUBLIC SAFETY COMMITTEE**  
515 CLOB

*\* For full agendas, please visit the General Assembly website, select House Committees. This meeting schedule is set as of 5:00pm today. Times and locations may change at the request of the Committee Chairman.*

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